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Trinity Financial Services, LLC

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UNITED STATES BANKRUPTCY COURT

DISTRICT OF NEW JERSEY

-----X

IN RE:

CASE NO.: 24-17136-JKS

Biny A. Baig

CHAPTER 13

Debtor

Judge: John K. Sherwood

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NOTICE OF OBJECTION TO CONFIRMATION OF DEBTOR'S CHAPTER 13 PLAN

PLEASE TAKE NOTICE that Trinity Financial Services, LLC as Servicer for Trinity Financial Services, LLC ("Secured Creditor"), the holder of a mortgage on real property of the Debtor, located at 22 E. 4th St, Bayonne, NJ 07002 by and through its undersigned attorneys, hereby objects to the confirmation of the Chapter 13 Plan on grounds including:

1. Debtor filed a Chapter 13 Plan (Doc.: 13) on August 14, 2024.
2. Debtor's proposed plan is insufficient to provide for the claim of Secured Creditor. Upon review of internal records, the objecting creditor is due pre-petition arrears of approximately \$162,710.47 to be set forth in a Claim to be filed by the Claims Deadline (September 25, 2024).
3. Debtor's proposed plan as proposed appears to contemplate that there will be no cure for the prepetition arrears of Secured Creditor unless or until a loan modification is achieved. The requirements of 11 U.S.C. 1322(d)(2) do not provide for payment over a period longer than 5 years. Moreover, the debtor(s) are obligated to cure the arrears due to the objecting creditor within a reasonable time pursuant to 11 U.S.C. 1322(b)(5). Accordingly, in the event that the ongoing loss mitigation efforts

are not successful, the plan fails to satisfy the confirmation requirements of 11 U.S.C. 1325(a)(1). As Debtor's plan is dependent on the approval of a loan modification, confirmation must be denied.

4. Debtor's proposed plan fails to comply with the requirements of the Bankruptcy Code and may not be proposed in good faith.

5. Debtor's proposed plan fails to comply with other applicable provisions of Title 11.

In the event any portion of the claim is deemed to be an unsecured claim as defined by the Code, objection is hereby made pursuant to 11 U.S.C. 1325(a)(4) and 1325(b), *et seq.* unless the plan provides for full payment of the claim.

Dated: September 24, 2024
Garden City, New York

By: /s/ Charles Wohlrab
Charles Wohlrab, Esq.
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UNITED STATES BANKRUPTCY COURT
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Caption in Compliance with D.N.J. LBR 9004-1(b)

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Case No.: 24-17136-JKS

Chapter: 13

In Re:

Biny A. Baig

Debtor

Adv. No.:

Hearing Date: 10/24/2024

Hon. Judge: John K. Sherwood

CERTIFICATION OF SERVICE

1. I, Quincy King:

☐ represent _____ in this matter.

☒ am the secretary/paralegal for Charles Wohlrab, Esq., who represents
Trinity Financial Services, LLC in this matter.

2. On September 24, 2024, I sent a copy of the following pleadings and/or documents to the parties listed in the chart below.

- Objection to Plan (NJ)

3. I certify under penalty of perjury that the above documents were sent using the mode of service indicated.

Date: September 24, 2024

/s/Quincy King
Signature

Name and Address of Party Served	Relationship of Party to the Case	Mode of Service
Biny A. Baig 22 E. 4th Street Bayonne, NJ 07002	Debtor(s)	<input type="checkbox"/> Hand-delivered <input checked="" type="checkbox"/> Regular mail <input type="checkbox"/> Certified mail/RR <input type="checkbox"/> E-mail <input type="checkbox"/> Notice of Electronic Filing (NEF) <input type="checkbox"/> Other_____ (as authorized by the court *)
	Co-Debtor(s)	<input type="checkbox"/> Hand-delivered <input checked="" type="checkbox"/> Regular mail <input type="checkbox"/> Certified mail/RR <input type="checkbox"/> E-mail <input type="checkbox"/> Notice of Electronic Filing (NEF) <input type="checkbox"/> Other_____ (as authorized by the court *)
Ryan L. Gentile 185 Cedar Lane Ste U5 Teaneck, NJ 07666	Debtor(s) Attorney	<input type="checkbox"/> Hand-delivered <input checked="" type="checkbox"/> Regular mail <input type="checkbox"/> Certified mail/RR <input type="checkbox"/> E-mail <input checked="" type="checkbox"/> Notice of Electronic Filing (NEF) <input type="checkbox"/> Other_____ (as authorized by the court *)
Marie-Ann Greenberg 30 Two Bridges Rd Suite 330 Fairfield, NJ 07004	Bankruptcy Trustee	<input type="checkbox"/> Hand-delivered <input checked="" type="checkbox"/> Regular mail <input type="checkbox"/> Certified mail/RR <input type="checkbox"/> E-mail <input checked="" type="checkbox"/> Notice of Electronic Filing (NEF) <input type="checkbox"/> Other_____ (as authorized by the court *)

U.S. Trustee One Newark Center, Suite 2100 Newark Newark, NJ 07102	U.S. Trustee	<input type="checkbox"/> Hand-delivered <input checked="" type="checkbox"/> Regular mail <input type="checkbox"/> Certified mail/RR <input type="checkbox"/> E-mail <input checked="" type="checkbox"/> Notice of Electronic Filing (NEF) <input type="checkbox"/> Other (as authorized by the court *)
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